

1  
2  
3 LAW OFFICES OF MARY ELLEN TERRANELLA  
4 Mary Ellen Terranella - State Bar No. 99272  
5 609 Jefferson Street, Suite G3  
6 Fairfield, California 94533  
7 (707) 428-1778  
8 Facsimile (707) 446-6777  
9 Attorney for Debtor

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF CALIFORNIA**  
**Sacramento Division**

In the matter of

MICHELE R. BLAIR ) Case No. 15-24006-C-13C

12 Movant ) Chapter 13

13 ) Docket Control No. MET-2

14 ) **MOTION TO SELL PROPERTY**

15 ) Date: April 18, 2017

16 ) Time: 2:00 P.M.

17 ) Courtroom: 33, 6<sup>th</sup> Floor

) Judge: Christopher M. Klein

Debtor, Michele R. Blair moves this Court for its Order Authorizing the Sale of Real Property.

Debtor filed case number 15-24006-C-13C on May 15, 2015.

The Court has jurisdiction over the property in question under 28 U.S.C. Section 1334. This proceeding is a core proceeding. This Motion is brought pursuant to 11 U.S.C. Section 363 and Bankruptcy Rule 6004.

The debtor seeks to sell her undivided one half interest in the property located at 100 Seneca Way, Vacaville, California. The debtor listed no encumbrances on the property, as there is no debt on her undivided one half interest. Debtor seeks court approval to sell her undivided one half interest in the real property. The debtor has found a buyer for the sale of the property.

1  
2 The debtor wishes to sell her interest in the property, as the previous co-owner of the  
3 other undivided one half interest in the property sold her interest last year, and the current owner  
4 of the other undivided one-half interest in the property is seeking relief from the automatic stay to  
5 pursue a partition action against her in state court. Sale of the debtor's interest in the property to  
6 the current co-owner alleviates continued litigation and related legal costs.  
7

8 The sales price for debtor's undivided one half interest in the property is \$212,500.00 (see  
9 Purchase and Sale Agreement, Exhibit A). The debtor represents that the sale offer is reasonable,  
10 that she is not in any way related to the proposed buyer(s), and the sale of the property is in the  
11 best interests of the creditors, as it will provide funds sufficient to pay off debtor's 100% chapter  
12 13 plan. The sale is subject to higher or better bid being made at the hearing on authorization to  
13 sell.  
14

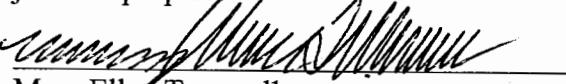
15 There are no liens encumbering the property to be paid through escrow with sale  
16 proceeds. The debtor intends to pay off her Chapter 13 plan with proceeds of the sale.  
17

18 The debtor requests the 14-day stay period pursuant to Bankruptcy Rule 6004(g) be  
19 waived.  
20

21 WHEREFORE, the Debtor prays as follows:  
22

- 23 1) For an order authorizing the sale of the subject property;
- 24 2) For the 14 day stay period pursuant to Bankruptcy Rule 6004(g) be waived;
- 25 3) For such other and further relief as is just and proper.

26 Dated: 3/15/17

27   
28 Mary Ellen Terranella  
Attorney for Debtor